

STATE MS.-DE SOTO CO.
FILED

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WARRANTY DEED

BK 437 PG 416
W.E. DAVIS CH. CLK.

This Deed of Conveyance is this day made by the undersigned CHARLES C. RAZIANO, hereinafter referred to as the GRANTOR, and R.D. MANN, hereinafter referred to as the GRANTEE, WITNESSETH THAT:

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the GRANTEE to the GRANTOR, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the GRANTOR, CHARLES C. RAZIANO, the GRANTOR does hereby and by these presents sell, convey, and warrant unto R.D. MANN, the GRANTEE, the hereinafter described real property located in DeSoto County, Mississippi, and being described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

The foregoing covenant of warranty is made subject to the following: all rights of ways and easements for public roads and public utilities; all subdivision and zoning regulations in effect in DeSoto County, Mississippi; to any prior reservation or conveyance of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under the subject property; to those certain Right of Ways in favor of Entergy Mississippi, Inc. as found at Deed Book 436 page 105 and Deed Book 395 page 321 in the Office of the Chancery Clerk of DeSoto County, Mississippi; to those certain Right of Ways in favor of MP&L as found at Deed Book 46 Pages 369 and 370 in the

Office of the Chancery Clerk of DeSoto County, Mississippi; to those certain Perpetual Flowage Easements to the United States of America as found at Deed Book 30 Pages 188 and 562 and at Deed Book 31 Page 159 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and being further subject to any unrecorded rights of way or easements; and any discrepancies, conflicts, encroachments, or shortages in area and boundaries which a correct survey and/or physical inspection of the property would reveal. That further the Grantor herein gives no warranty as to riparian rights that may or may not exist along what is known as Hurricane Creek.

That for chain of title purposes there is attached hereto as Exhibit "B" a certified copy of the Last Will and Testament of the late Nell Jones Kerg and whose will may be found at Will Book 14 Page 665 in the Office of the Chancery Clerk of Washington County, Mississippi. That for chain of title purposes as well there is attached hereto as Exhibit "C" a certified copy of the Final Decree issued in Cause No. 37,426 styled IN THE MATTER OF THE LAST WILL AND TESTAMENT OF NELL JONES KERG, DECEASED as entered on September 5, 1980 in the Chancery Court of Washington County, Mississippi.

That the aforesaid and attached Exhibit "A" to which reference is hereby made is incorporated herein by reference as if fully set forth herein.

Taxes and assessments against said property for the year 2003 shall be prorated as of the date of this deed and taxes and assessments for the year 2004 shall be the responsibility of the GRANTEE, and/or his successor's in interest and all subsequent years are hereby excepted from the foregoing covenant of warranty.

That the undersigned further warrants that the property being conveyed is no part or parcel of his homestead.

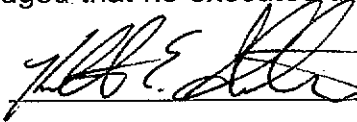
Possession shall be given upon delivery of this deed.

WITNESS the signature of the GRANTOR on this the 6th day of February, 2003.


CHARLES C. RAZIANO

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 6th day of February, 2003, within my jurisdiction, the within named CHARLES C. RAZIANO, who acknowledged that he executed the above and foregoing instrument.



NOTARY PUBLIC

My Commission Expires:
September 24, 2003
(SEAL)



GRANTORS' ADDRESS:
P.O. Box 793
Hernando, MS 38632
RES. TEL.: 901-647-2570
BUS. TEL.: 901-647-2570

GRANTEES' ADDRESS:
2501 Hwy. 301 South
Hernando, MS 38632
RES. TEL.: n/a
BUS. TEL.: n/a

Prepared by: KENNETH E. STOCKTON
ATTORNEY AT LAW
5 WEST COMMERCE STREET
HERNANDO, MS 38632
662-429-3469

2002-042

EXHIBIT "A"

Commencing at the Southeast corner of Section 7, Township 3 South, Range 8 West, in DeSoto County, Mississippi, said point being marked by the intersection of the center of Highway No. 304 and Fogg Road; Thence North 03 degrees 20 minutes 08 seconds west 462.75 feet to a point on the west R.O.W. of Fogg Road, said point being the Point of Beginning of the 22.9 acre tract herein described: Thence North 85 degrees 13 minutes 03 seconds west 1720.0 feet to a point in the center of Old Hurricane Creek; Thence in a northerly direction following the center of said creek north 30 degrees 0 minutes east 100.0 feet north 06 degrees 21 minutes west 142.26 feet - North 43 degrees 0 minutes west 125.0 feet; thence north 350.0 feet North 55 degrees 0 minutes East 200.00 feet; thence South 30 degrees 0 minutes East 225 feet; thence South 78 degrees 0 minutes East 280.0 feet; thence North 45 degrees 0 minutes east 310.0 feet; thence South 40 degrees 0 minutes East 420.00 feet; thence South 74 degrees 09 minutes 05 seconds East 113. 5 feet; thence North 87 degrees 00 minutes 49 seconds East 376.5 feet; thence South 89 degrees 21 minutes 24 seconds East 218.3 feet; thence South 00 degrees 41 minutes 00 seconds East a distance of 559.0 feet to the point of beginning of the tract described and containing 22.9 acres more or less, according to survey of Clark's Land Surveying dated March 10, 2001. Said tract lying in the Southeast Quarter of the above noted section, township and range.

Less and Except the following described tract:

Commencing at the Southeast Corner of Section 7, Township 3 South, Range 8 West in DeSoto County, Mississippi, said point being marked by the intersection of the center of Highway No. 304 and Fogg Road; Thence North 0 degrees 41 minutes east along the west R.O.W. line of Fogg Road 390.0 feet to the Point of Beginning of the tract herein described: Thence North 0 degrees 41 minutes east 169.0 feet to a point; Thence North 89 degrees 21 minutes 24 seconds west 218.3 feet to a point; Thence South 87 degrees 0 minutes 49 seconds west 185.0 feet to a point; Thence South 0 degrees 14 minutes 34 seconds west 160.0 feet to a point; Thence South 89 degrees 44 minutes east 401.40 feet to the Point of Beginning and containing 1.50 acres, plus or minus. As per survey of Clark's Land Surveying dated September 2002, Lying in the Southeast Quarter.

BOOK 14 PAGE 365 37426
LAST WILL AND TESTAMENT OF NELL JONES KERG

I, Nell Jones Kerg, a widow and a resident of the City of Greenville, Washington County, Mississippi, being of sound and disposing mind and memory and over and above the age of twenty-one years, hereby make, publish and declare this as my Last Will and Testament, hereby revoking any and all other Wills and Codicils whensoever or wheresoever made by me.

ITEM ONE: I hereby appoint my daughter, Betty K. Dean, to be executrix of this my Last Will and Testament. I direct that said executrix shall not be required to give any bond as such and not be required to make any report, inventory, appraisement or accounting to any court, all of same being hereby waived.

ITEM TWO: I direct that all my just debts and funeral expenses be paid as soon after my death as can conveniently be done without the necessity of probate thereof in the discretion of the executrix.

ITEM THREE: I hereby will, devise and bequeath all of my property of every kind, character and description, including real, personal and mixed unto my beloved children, Betty K. Dean and Charles Scott Kerg, Jr., share and share alike equally.

IN TESTIMONY WHEREOF, I have signed, published and declared this to be my Last Will and Testament in the presence of the undersigned witnesses whom I have requested to be attesting witnesses on this the 12th day of September, 1977.

Nell Jones Kerg
 Nell Jones Kerg

We, the undersigned witnesses, at the request of Nell Jones Kerg witnessed her signing the foregoing instrument as her Last Will and Testament and at the same time published, declared and acknowledged by her to us to be her Last Will and Testament, and thereupon, we, at the request of Nell Jones Kerg, in her presence as she signed her name thereto and in the presence of each other, have hereunto subscribed our names as witnesses, this the 12th day of September, 1977.

Pauline Standish residing at Greenville, Mississippi.

Clara Massey residing at Greenville, Mississippi.

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R. L. Taylor, Clerk

By Shepherd D. C.

STATE OF MISSISSIPPI
COUNTY OF WASHINGTON

I, Marilyn Hansell Clerk of the Chancery Court in and for said County and State hereby certify that the within and foregoing instrument is a true and correct copy of Will

the same appears on file and of record in Will Rec

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of the records in my office, at Greenville, Miss.

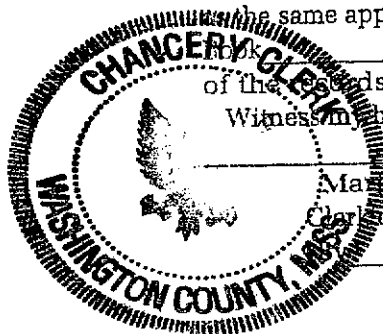
Witness my hand and official seal, this 14 day of Feb.

A.D., 2003

Marilyn Hansell

Clerk of Chancery Court of Washington County, Miss.

D.C.



IN THE CHANCERY COURT OF WASHINGTON COUNTY, MISSISSIPPI

IN THE MATTER OF THE LAST WILL AND

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TESTAMENT OF NELL JONES KERG, DECEASED

NO. 37,426

FINAL DECREE

THIS MATTER having come on to be heard and was heard on the petition of Betty K. Dean, executrix of the Last Will and Testament of Nell Jones Kerg, deceased, and also co-petitioners Betty K. Dean and Charles Scott Kerg, Jr., individually as sole beneficiaries under said Will, wherein the executrix filed her final accounting and petition to close the estate;

The Court finds:

I.

Petitioner Betty K. Dean was appointed executrix and Letters Testamentary issued unto her in this cause on April 4, 1978, by Order of this Court. Petitioner, as executrix, published notice to creditors in the manner and for the time required by law and proof of publication thereof has been filed in this cause. Subsequently, the legal time for the filing of claims of creditors has expired and if any claims now exist, they are barred by the statute of limitations. Only two claims of creditors were filed, namely, Gamble Brothers & Archer Clinic and King's Daughters Hospital, both of which have been paid as evidenced by vouchers number one and two previously filed herein. Petitioner, as executrix, has filed estate tax returns with the United States of America in the original sum of \$2,125.78 as evidenced by voucher number three previously filed herein and

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R. L. Taylor, Clerk

By [Signature] D. C.

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subsequently upon examination it was determined additional estate taxes were owing to the United States of America in sum of \$17,589.32, which has been paid as evidenced by voucher number five filed herein and there was attached to said petition as Exhibit A the estate tax closing letter from the Internal Revenue Service dated October 1, 1979. Petitioner, as executrix, has filed estate tax returns with the State of Mississippi and has paid state estate taxes in sum of \$1,057.70 evidenced by voucher number four previously filed herein and there was attached as Exhibit B to said petition the estate tax closing letter from the Mississippi State Tax Commission dated November 14, 1979. Petitioner, as executrix, has filed and paid income taxes due by the estate in sum of \$670.70 as evidenced by voucher number six filed herein and there are no further income taxes due to either the United States of America or the State of Mississippi by this estate. All debts and claims against the estate have been paid by the executrix, including costs of administration, except costs of court which will be paid upon the closing of this estate.

II.

There are presently no cash assets on hand in this estate. At the time the additional federal estate taxes of \$17,589.32 became due, as stated aforesaid, the cash balance in this estate was the sum of \$12,875.52 and it was necessary for co-petitioners to deposit from their personal funds the sum of \$4,713.80 into the estate account in order to have the necessary funds to pay said additional federal estate taxes and upon payment of same, the estate bank account was depleted. All other assets and property in this estate have been distributed unto co-petitioners

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BOOK 139 PAGE 377

as sole beneficiaries under the Will and who acknowledged receipt of same except the following:

A. One share of stock in Riverside Land Company of Greenville, Mississippi, which the executrix is in the process of selling with the proceeds to be divided and distributed equally between co-petitioners, after paying costs of Court.

B. One hundred shares of common stock in Champion Home Builders Co. which petitioner as executrix is in the process of having reissued with fifty shares to be delivered unto each of co-petitioners.

III.

The Last Will and Testament of Nell Jones Kerg directed that the petitioner as executrix shall not be required to give any bond as such and not be required to make any report, inventory, appraisement or accounting to any Court, all of same being waived. Petitioner joined in said petition in her official capacity as executrix and co-petitioners joined in said petition individually as sole beneficiaries under said Last Will and Testament, thereby waiving any service of process or other notice upon each of them in connection with said final accounting and petition to close this estate and each of whom consented to a final decree being entered in this cause at any time hereafter by the Court in accordance with the prayer for relief in said petition and each of whom entered their appearance generally and for all purposes and joined in the prayer for relief therein set forth.

IT IS, THEREFORE, ordered, adjudged and decreed as follows:

1. That said petition be and is hereby accepted and approved as the final accounting and petition to be discharged of Betty K. Dean, executrix of the Last Will and Testament of Nell Jones Kerg, deceased.

2. That upon the executrix causing said one hundred shares of stock of Champion Home Builders Co. to be reissued with fifty shares delivered unto Betty K. Dean and fifty shares delivered unto Charles Scott Kerg, Jr. and causing said one share of stock in Riverside Land Company to be sold at market price at private sale as determined by the executrix and her dividing and distributing the proceeds therefrom equally between Betty K. Dean and Charles Scott Kerg, Jr. and after first paying the costs of Court therefrom, the executrix shall be and is hereby discharged and this estate finally and forever closed.

ORDERED, ADJUDGED AND DECREED this 52nd day of
September, 1980.

Wm. I. McShane
Chancellor

STATE OF MISSISSIPPI
COUNTY OF WASHINGTON
I, Matthew Hassell, Clerk of the Chancery Court in and for said
County and State hereby certify that the within and foregoing
instrument is a true and correct copy of
the same as it appears on file and of record in
my office in the County of Washington, State
of Mississippi, this _____ day of _____
A.D. 19____.

STATE OF MISSISSIPPI
COUNTY OF WASHINGTON

I, Marilyn Hansell Clerk of the Chancery Court in and for said
County and State hereby certify that the within and foregoing
instrument is a true and correct copy of Final Decree

as the same appears on file and of record in Gen. Minutes

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of the records in my office, at Greenville, Miss.

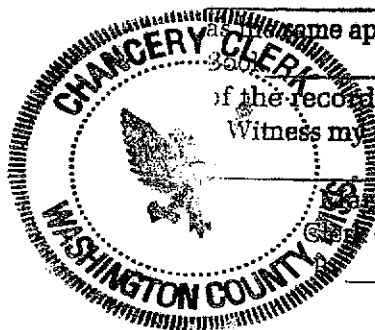
Witness my hand and official seal, this 4th day of

A.D., 2003

Marilyn Hansell

Clerk of Chancery Court of Washington County, Miss.

D.C.



K Stockton